NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

NOVELTY CURTAINS, DRAPERIES BEDSPREADS AND NOVELTY PILLOWS INDUSTRY

AS APPROVED ON AUGUST 24, 1934

UNITED STATES
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Approved Code No. 79—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

NOVELTY CURTAINS, DRAPERIES, BEDSPREADS AND NOVELTY PILLOWS INDUSTRY

As Approved on August 24, 1934

ORDER

APPROVING MODIFICATION OF CODE OF FAIR COMPETITION FOR THE NOVELTY CURTAINS, DRAPERIES, BEDSPREADS AND NOVELTY PILLOWS INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of a modification of a Code of Fair Competition for the Novelty Curtains, Draperies, Bedspreads and Novelty Pillows Industry, and an opportunity to file objections thereon having been given and the annexed report on said modification, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543–A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said modification and the Code as constituted after being modified comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said modification be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as modified.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

ROBERT L. HOUSTON,
Division Administrator.

WASHINGTON, D.C.
August 24, 1934.

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REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the Hearing on an amendment to the Code of Fair Competition for the Novelty Curtains, Draperies, Bedspreads and Novelty Pillows Industry, held in Room 2062, Department of Commerce Building, on May 31, 1934. The amendment, which is attached, was presented by the Domestic Decorative Linens Association, Inc., said to represent more than 80% by volume of production and 60% by number of concerns in the Domestic Decorative Linen Industry.

In accordance with customary procedure, every person who had filed a request for an appearance was freely heard in public, and all statutory and regulatory requirements were complied with.

This amendment brings within the definition of the Code the Domestic Decorative Linens Industry. The Industry comprises approximately thirty-five (35) concerns having an investment in 1933 of $1,100,000. In 1929 the Industry provided employment for 2,200 workers. This figure had declined to 1,750 employees in 1933 before the President's Reemployment Agreement and approximately 1,800 employees after the President's Reemployment Agreement. Aggregate annual sales fell from $6,250,000 in 1928 to $4,750,000 in 1931. Sales for the year 1933 increased to about $5,500,000.

According to the testimony at the Hearing there are a number of concerns in the Industry paying as low as $9.00 a week for forty (40) hours of work. The minimum wage under the Code is $.325 per hour or $13.00 per week. It is claimed that the effect of coming under this Code will be to increase employment by approximately 300 workers.

The amendment, besides changing the definition of the Industry to include domestic decorative linens, sets up a Committee to administer the fair trade practice provisions for this branch of the Industry and includes two additional fair trade practices to apply only to domestic decorative linens manufacturers.

FINDINGS

The Deputy Administrator in his final report to me on said amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general

welfare by promoting the organization of industry for the purpose of comparative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The applicant association is an industrial association truly representative of the aforesaid Domestic Decorative Linens Industry and said association imposes no inequitable restrictions on admission to membership therein. The Code empowers the Code Authority to assent to the aforesaid amendment on behalf of the Industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For the above reasons this amendment has been approved by me.

Respectfully,

HUGH S. JOHNSON,
Administrator.

AUGUST 24, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE NOVELTY CURTAINS, DRAPERIES, BEDSPREADS AND NOVELTY PILLOWS INDUSTRY

Section 1 of Article II shall be amended by adding:

"The term 'Industry' shall also include a Domestic Decorative Linens Branch. The term 'Domestic Decorative Linens Branch' of the Novelty Curtains, Draperies, Bedspreads and Novelty Pillows Industry as used herein means and includes the manufacture of domestic decorative linens which are defined as table covers, scarfs and doilies used for the decoration of the home, and the using or hiring of equipment or the engaging or hiring of anyone owning or hiring equipment to perform the operation of making chiefly or wholly of piece goods, nets, netting, laces and embroideries into domestic decorative linens (made by cutting apart and/or sewing together out of the same materials, or out of the same materials in combination with other materials employing plain or fancy stitching, embroideries, laces, or appliques in conjunction therewith). The term 'Industry' does not include the weaving of fabrics and/or laces."

Article V shall be amended by adding Section 9:

"9. The doing of work or the performance of labor on any product of the Domestic Decorative Linens Branch of the Industry in the home of a worker shall be prohibited."

Paragraph 1, Section 1 of Article VI shall be amended to read as follows:

"To further effectuate the policy of the Act a Code Authority is hereby designated to cooperate with the Administrator in the Administration of this Code. The Code Authority shall consist of the Board of Directors of the Association and one representative of the Domestic Decorative Linens Branch elected by the Domestic Decorative Linens Association, Inc., and such additional representatives of the Industry as shall be selected by a fair method of selection to be approved by the Administrator, or as the Administrator shall prescribe; and up to three advisory members without vote who may be appointed by the Administrator."

Paragraph 4, Section 1 of Article VI shall be amended to read as follows:

"In order that the Code Authority and the Domestic Decorative Linens Committee shall at all times be truly representative of the Industry and in other respects comply with the provisions of the Act, the Administrator may provide such hearings as he may deem proper; and thereafter if he shall find that the Code Authority or the Domestic Decorative Linens Committee is not truly representative or does not in other respects comply with the provisions of the Act, may require an appropriate modification in the method of selection of the Code Authority and/or the Domestic Decorative Linens Committee."

Section 2 of Article VI shall be amended by adding Sub-section (d):

"(d) For the purpose of administering the fair trade practice provisions of the Code relating to the Domestic Decorative Linens Branch, the members of the Domestic Decorative Linens Branch of the Industry shall elect a Domestic Decorative Linens Committee. The members of the Domestic Decorative Linens Committee shall be elected in a manner approved by the Administrator, and need not be members of the Code Authority. The Administrator may appoint up to three representatives without vote to serve on this committee."

Section 13 of Article VII shall be amended by adding:

"This provision shall not apply to the Domestic Decorative Linens Branch of the Industry."

Article XII shall be added:

"The following practices constitute unfair methods of competition for members of the Domestic Decorative Linens Branch of the Industry and are prohibited:

"1. Variance of more than three per cent (3%) in either width or length from sizes marked on Domestic Decorative Linens.

"2. (a) Selling or offering to sell any article on the condition, express or implied in fact, that the purchaser buy another article or articles;

"(b) Selling or offering to sell several articles in group or combination at a single lot or group price, except articles which are commonly sold in sets or ensemble, unless the price of each unit in the group or combination be stated to the purchaser."

Approved Code No. 79—Amendment No. 2.
Registry No. 226–1–06.

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